

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KELVIN LATHERS,

Plaintiff,

v.

UNIVERSITY OF CALIFORNIA
MEDICAL CENTER, SAN FRANCISCO

Defendant.

No. C 05-5237 PJH

**ORDER GRANTING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

Defendant's motion for summary judgment came on for hearing before this court on March 21, 2007. Plaintiff filed no opposition to the motion, and did not appear at the hearing. Defendant appeared by its counsel GayLynn Conant.

Having read defendant's papers and carefully considered the arguments and the relevant legal authority, the court finds that the motion should be GRANTED because defendant has established that there is an absence of evidence to support plaintiff's case and that there is no genuine issue as to any material fact, as stated by the court on the record at the hearing. See Fed. R. Civ. P. 56(e); Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986).

IT IS SO ORDERED.

Dated: March 21, 2007



PHYLLIS J. HAMILTON
United States District Judge